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APR 16 2003

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RESPONSE TO NOVEMBER 4, 2002, LETTER: REVISION 4 OF THE ENVIRONMENTAL RESTORATION (ER) AND PROGRAM INTEGRATION (PI) BASELINES

I am sorry for the long delay in responding to your letter of November 4, 2002, on Revision 4 of the ER and PI Baselines. As you are aware, Congress did not pass an Energy appropriation bill until March 2003. Our Budget allocations were not received in this office until late March 2003.

The FY 2003 allocations are summarized in the table below. However, as the FY 2003 funding has just been allocated, we reserve the right to reallocate these funds once we have completed our analysis of the overall EM program at Nevada. We will notify you if these funds drop below the amounts identified above.

| Baseline Program Areas | Baseline Estimates in \$1000s | Baseline Allocations from EM Headquarters in \$1000s |
|--------------------------------|--------------------------------------|---|
| Underground Test Area | 31,395 | 32,354 |
| Industrial Sites | 20,522 | 22,442 |
| Off-Sites | 4,508 | 4,603 |
| Program Integration | 10,918 | 11,857 |
| Agreements in Principle/Grants | 6,938 | 2,667 |
| Totals | 74,281 | 73,923 |

You are correct in that the Defense Programs baseline is not included in the reference document, although a baseline has been prepared for those corrective actions and will be included in subsequent baseline documents. We do not expect to prepare another revision this fiscal year for a number of reasons, including the changing of characterization contractors and subsequent changes to cost structures.

Underground Test Area Project (UGTA) Comments

You asked us to confirm in writing that your understanding of how to review and evaluate the UGTA Revision 4 of the baseline was correct. This confirms your understanding is, in fact, correct.

Soils Project Life-Cycle Baseline Comments

NNSA/NSO understands the concern by NDEP relating the defined baseline Corrective Action Level (CAL) which indicates "no national standard" to the NNSA/NSO derived 1,000 picocuries per gram CAL. NNSA/NSO also appreciates the advantage of using this CAL for future baseline cost and schedule estimates. Due to the U.S. Air Force (USAF) and NDEP agreeing to the seven site-specific (military) land-use scenarios, dose calculation methodology and dose criteria, the Life Cycle Baseline Rev. 4 cost and schedule estimates are based on a CAL of 1,000 pCi/g (total transuranic).

NNSA/NSO would like to express however, that the 1,000 picocurie per gram (pCi/g) CAL has been appropriately agreed to by the USAF as previously requested by NDEP. Additionally, it is not "assumed" but "stated" by NNSA/NSO that this 1,000 picocurie per gram CAL *would* result in a maximum affected dose of 25 millirem a year (mrem/yr) for *accepted* land use scenarios defined for the Tonopah Test Range (TTR) Corrective Action Units (CAUs).

Dose calculations were performed in 1998 for the military scenarios, utilizing a dose criteria of 25 mrem/yr. The dose calculation results were also balanced with other criteria in a site specific as-low-as-reasonable analysis (ALARA) and a CAL of 1,000 pCi/g (total transuranic) was determined to be the most appropriate for the Soil Project sites on the TTR and Nellis Testing and Training Range.

Regarding the level of written concurrence from the USAF for *defined* military land-use scenarios, Brooks Air Force Base Health Physics Department is the resource utilized by the USAF. Although representatives from Brooks have yet to complete split sampling on the TTR in order to identify data gaps or differences, the defined land-use scenarios provided for their analysis were recognized as appropriate. A revision to the baseline indicating this concurrence will be considered.

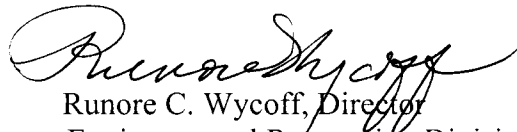
The U.S. Department of Interior (DOI) administrative Public Land Orders which created the Nevada Test Site (NTS) are for an indefinite term connected with the purposes for which the land was withdrawn. In 1983, in accordance with the Federal Land Policy and Management Act of 1976, the Bureau of Land Management (BLM) conducted a land withdrawal review of the existing withdrawals that comprised the NTS. The BLM concluded that the lands were still being used for the purpose for which they were withdrawn. While it is theoretically the case that the land transferred under administrative land withdrawals could be relinquished to the BLM

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when the purposes for the land cease and other requirements are met, such a situation is not foreseeable on NTS lands for which legacy DOE stewardship issues remain. DOE and NNSA are committed to ensuring that appropriate measures are undertaken to maintain federal control and implement stewardship responsibilities in perpetuity over all NTS lands determined to be unsuitable or relinquishment. DOI is cognizant of DOE's ongoing commitment and both parties continue to be engaged in the consultation process encompassing a wide spectrum of issues regarding the underlying land withdrawals for the NTS.

In response to your suggestion that we should initiate a National Environmental Policy Act (NEPA) process to address alternative remediation levels for different soil sites, NNSA/NSO will review the *Final Environmental Impact Statement for the Nevada Test Site and Off-Site Locations in the State of Nevada* and the analyses related to remediation levels performed for that document. Based on our review, we will initiate an appropriate NEPA review pursuant to DOE NEPA Implementing Procedures (10 C.F.R. 1021) and NNSA/NSO NEPA procedures.

Again, I apologize for the delay in response, but we did not anticipate the length of the continuing resolution. If you have any comments or concerns, please do not hesitate to call me at (702) 295-0250.



Runore C. Wycoff, Director
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ERD:RCW-110

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